

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

DREAGLEN SYLVESTER DAVIS, #1271774 §

VS. § CIVIL ACTION NO. 6:08cv237

TEXAS BD. OF CRIMINAL JUSTICE, ET AL. §

ORDER OF DISMISSAL

Plaintiff Dreaglen Sylvester Davis, a prisoner confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the complaint should be dismissed. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by the Plaintiff are without merit.

The Plaintiff alleged in the original complaint that the Defendants have imposed slavery upon him, and he complained that he has been forced to work without compensation. The Report and Recommendation clearly explained why he has no basis for a claim under the Constitution. The Plaintiff's objections did not address the explanation provided to him. Instead, he argued that requiring him to work without compensation is a violation of various state laws. Federal courts, however, are

courts with limited jurisdiction having subject matter jurisdiction only over those matters specifically designated by the Constitution or Congress. *Johnson v. United States*, 460 F.3d 616, 621 n.6 (5th Cir. 2006). The Supreme Court has held that many acts that might constitute a violation of state law do not amount to federal violations. *Baker v. McCollan*, 443 U.S. 137, 146 (1979). In such cases, a prisoner must bring his claims in state court, as opposed to federal court. *Id.* The Plaintiff has not alleged facts showing that there has been a violation of his rights under federal law. The objections lack merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the civil rights complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). All motions by either party not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 30th day of July, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE